

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

ORACLE INTERNATIONAL CORP., and  
ORACLE AMERICA, INC.,

Plaintiffs/ Counterdefendants,

v.

RIMINI STREET, INC., and SETH RAVIN,

Defendants/ Counterclaimants.

Case No. 2:14-cv-01699-MMD-DJA

**ORDER ADOPTING JOINT STIPULATED  
FACTS**

Judge: Hon. Miranda M. Du

Pursuant to the Court's order regarding bench trial (ECF 1426), Defendants/ Counterclaimant Rimini Street, Inc. ("Rimini") and Defendant Seth Ravin ("Ravin"), and Plaintiffs/ Counterdefendants Oracle America, Inc. and Oracle International Corp. (collectively, "Oracle," and together with Rimini and Ravin, "the Parties") stipulate and agree as follows:

1. Oracle America, Inc. ("Oracle America") is a Delaware corporation. At the time of the events at issue set for trial, Oracle America had its principal place of business in Redwood City, California. Currently, Oracle America has its principal place of business in Austin, Texas.

2. Oracle America is the successor in interest to Oracle USA and PeopleSoft USA, Inc., as well as a successor in interest to certain PeopleSoft, JD Edwards, and Siebel entities.

3. Intellectual property rights formerly held by certain PeopleSoft, JD Edwards, and Siebel entities were transferred to OIC as part of the acquisitions of PeopleSoft, JD Edwards, and Siebel by Oracle.

4. Oracle owns and develops Oracle Database, database software that is often used in conjunction with enterprise software applications.

5. Oracle's PeopleSoft, JD Edwards, Siebel, and Oracle EBS product lines are Enterprise Resource Planning ("ERP") software. At a high level of generality, ERP software helps companies perform complex tasks such as human resource functions, payroll, taxes, and customer relationship management.

1           6.       Unlike off-the-shelf consumer software used by individuals, Oracle Software is  
2 used by organizations, and can be modified and customized by the organizations for their own  
3 business purposes.

4           7.       Software support is often necessary for ERP software, particularly software relating  
5 to payroll or human resources functions, because it must be frequently updated to work properly.

6           8.       As tax laws and other laws and regulations change, Oracle's PeopleSoft, EBS, and  
7 JD Edwards software generally must be updated to account for the change. For example, if a  
8 payroll tax rate changes, the software must be updated to reflect the new rate.

9           9.       A common feature of ERP software, including Oracle's PeopleSoft, EBS, and JD  
10 Edwards software, is that a licensee can modify and customize the software for the licensee's own  
11 business purposes, subject to the terms of the applicable license.

12          10.      In addition to the license to the underlying software, Oracle also enters into separate  
13 support contracts with its customers, which entitle them to receive, for an annual maintenance fee,  
14 software upgrades (including new versions of the software) and software support, including fixes,  
15 patches, and updates typically made available for download from Oracle's password-protected  
16 websites.

17          11.      Rimini Street, Inc. ("Rimini") is a Delaware corporation founded in 2005, with its  
18 headquarters in Nevada.

19          12.      Seth Ravin is the co-founder and CEO of Rimini.

20          13.      Rimini provides software support services to licensees of ERP software, including  
21 licensees of Oracle's PeopleSoft, JD Edwards, Siebel, and E-Business Suite software, and support  
22 for Oracle Database.

23          14.      Rimini offers updates and fixes to its clients for PeopleSoft, JD Edwards, and E-  
24 Business Suite software, as part of its support services for those product lines.

25          15.      Rimini typically charges its support customers half the price, or less, for its support  
26 services as compared to the price that Oracle typically charges its customers for Oracle's support  
27 services.

1           16. Development environments are distinct from a production environment, which is  
2 the version of the software that members of the enterprise ultimately employ.

3 Dated: November 22,2022

Dated: November 22, 2022

4 MORGAN, LEWIS & BOCKIUS LLP

GIBSON, DUNN & CRUTCHER LLP

5  
6 By: /s/ Benjamin P. Smith  
Benjamin P. Smith

By: /s/ Eric D. Vandavelde  
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*Oracle International Corporation and Oracle*  
*America, Inc.*

*Attorneys for Defendants/ Counterclaimants*  
*Rimini Street, Inc., and Seth Ravin*

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10  
11 **ORDER**

12 **IT IS THEREFORE STIPULATED AND AGREED.**

13  
14 DATED THIS 23<sup>rd</sup> Day of November 2022.

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Miranda M. Du  
Chief United States District Judge